

1 JEFFREY M. JUDD, SBN 136358), jeff@JuddLawGroup.com
2 JUDD LAW GROUP
222 Sutter Street, Suite 600
3 San Francisco, California 94108
3 Telephone: 415.597.5500
4 Facsimile: 888.308.7686

4
5 JAY TEITELBAUM (pro hac vice application pending)
5 TEITELBAUM & BASKIN, LLP
1 Baxter Drive, Suite
6 White Plains, NY 10604

7 Attorneys for Plaintiffs.

8
9 IN THE UNITED STATES DISTRICT COURT
10
11 CENTRAL DISTRICT OF CALIFORNIA

11 WILLIAM A. NIESE, et al.,

12 Plaintiffs, No. CV 11-7577 PSG

13 vs.

14 CHANDLER TRUST NO. 1, et al.,
15 Defendants.
16
**NOTICE OF FILING OF (I)
INTERESTED PARTY RESPONSE
AND (II) NOTICE OF RELATED
ACTION IN PENDING MDL NO. 2296**

17 PLEASE TAKE NOTICE, that Teitelbaum & Baskin, LLP, as attorneys for
18 Plaintiffs, 187 retirees of The Times Mirror Company, the Tribune Company
19 ("Tribune") and/or one or more of 110 affiliates or subsidiaries of the Tribune
20 Company ("Tribune Entities" or "Debtors") (the "Plaintiffs"), have filed both a
21 **Notice of Related Action** (the "Notice") and an **Interested Party Response to Motion**
22 **to Transfer Related Actions For Consolidated Pretrial Proceedings Pursuant to 28**
23 **U.S.C. §1407** (the "Response") before the United States Judicial Panel on Multidistrict
24 Litigation in the pending matter known as *In re Tribune Fraudulent Conveyance*
25 *Litigation* (MDL No. 2296), relating to the motion by Deutsche Bank Trust Company
26 Americas, in its capacity as successor indenture trustee for a certain series of Senior
27 Notes ("DBTCA"), Law Debenture Trust Company of New York, in its capacity as
28 successor indenture trustee for a certain series of Senior Notes ("Law Debenture"), and

1 Wilmington Trust Company, in its capacity as successor indenture trustee for PHONES
 2 Notes ("**Wilmington Trust**" and, together with DBTCA and Law Debenture, the
 3 "**Noteholders**") for an order transferring various actions by the Noteholders (the
 4 "**Noteholder Actions**") to the Southern District of New York for coordinated or
 5 consolidated pretrial proceedings pursuant to 28 U.S.C. §1407 (the "**MDL Motion**").
 6 (A copy of Plaintiffs' Notice and Response filed in the MDL Action are attached hereto
 7 as Exhibits A and B, respectively).

8 As set forth in the Notice and Response, the Plaintiffs agree that: (1) the
 9 Noteholder Actions satisfy the statutory requisites for transfer and consolidation (*i.e.*,
 10 one or more common questions of fact under 28 U.S.C. §1407 and that transfer and
 11 consolidation will promote judicial economy, avoid conflicting and duplicative motions,
 12 discovery and rulings, and will reduce the burden and cost of litigation for all parties);
 13 (2) that the same factors alleged in the MDL Motion support consolidating the four state
 14 law constructive fraud actions commenced by the Plaintiffs with the Noteholder
 15 Actions; and (3) transfer of venue of all such actions to an MDL Panel in the United
 16 States District Court for the Southern District of New York is in the best interest of the
 17 parties and justice. The four state law constructive fraud actions commenced by the
 18 Plaintiffs (collectively, the "**Retirees Actions**") are:

19 a. the instant action, *William A. Niese et al. vs. Chandler Trust No. 1 et al.* –
 20 Case No. 11-CV-7577-PSG (originally filed in California Superior Court, Los Angeles
 21 County and subsequently removed to the United States District Court for the Central
 22 District of California) (the "**California Action**");

23 b. *William A. Niese et al. v. ABN AMRO Clearing Chicago LLC. et al.* – Case
 24 No. 11-CV-05155-JHL (originally filed in Illinois Circuit Court of Cook County and
 25 subsequently removed to the United States District Court for the Northern District of
 26 Illinois) (the "**Illinois Action**");

27 c. *William A. Niese et al. vs. AllianceBernstein, L.P. et al.* – Case No. 11-CV-
 28 4538-RJH (originally filed in New York State Supreme Court, New York County and

1 subsequently removed to the United States District Court for the Southern District of
2 New York) (the “**New York Action**

3 d. *William A. Niese et al. vs. A.G. Edwards Inc. et al.* – Case No. 11-CV-
4 00583-GMS (originally filed in Delaware Superior Court, New Castle County and
5 subsequently removed to United States District Court for the District of Delaware) (the
6 “**Delaware Action**

7 Accordingly, in the Response, the Plaintiffs: (a) concur with the Noteholders'
8 analysis as to the propriety of transferring the Noteholder Actions to the Southern
9 District of New York for consolidated pretrial proceedings; and (b) seek an order
10 authorizing transfer of the Retiree Actions to the Southern District of New York for
11 coordinated and consolidated pretrial proceedings with the Noteholder Actions and each
12 such other cause of action the United States Judicial Panel on Multidistrict Litigation
13 deems appropriate for coordination and consolidation.

14 Dated: September 23, 2011

JUDD LAW GROUP

15

16

By: /s/ Jeffrey M. Judd
Jeffrey M. Judd

17

18

TEITELBAUM & BASKIN, LLP

19

ATTORNEYS FOR PLAINTIFFS

20

21

22

23

24

25

26

27

28